

From: [Robert Werner](#)
To: [Garyg Miller](#); [Valmichael Leos](#); [Jessica Hernandez](#); [Sharon Parrish](#); [Stephen Tzhone](#)
Cc: [Carlos Sanchez](#); [Lydia Johnson](#); [Anne Foster](#); [Barbara Nann](#)
Subject: San Jacinto River Waste Pits (06ZQ) -- Phone Call From COE -- Fw: CWA 404 and RHA 10 status on Big Star operations
Date: 07/29/2011 06:59 PM

To All,

Please check voice msg I've forwarded from Kenny Jaynes. Kenny is the leader of the U.S.Army COE's Compliance Section in Galveston.

Kenny's call is in response to my previous call to him concerning what appears to me in aerial photos as possible limited dredging activity by San Jacinto River Fleet, L.L.C. (SJRF) and/or Big Star Barge & Boat Company, Inc.(BSB) in the area immediately west of the recently installed TCRA cap. In my view, results of the limited dredging activity appears to allow mooring of barges along side the land area that SJRF has recently leased from BSB.

In Kenny's voice msg he said "we met with individuals/folks out there" (I don't know if his reference is to SJRF and/or BSB) and they'd not seen any dredging activity. He also said "folks out there" said nothing about dredging but did say they'd been talking to EPA about putting some pilings out there. He also said to call him back if we have other information.

Jessica and Val have already told me they've not been contacted by SJRF and/or BSB concerning pilings in the area.

Does anyone know about contacts from SJRF and/or BSB concerning pilings in the area?

Bob
5.6724

----- Forwarded by Robert Werner/R6/USEPA/US on 07/29/2011 06:10 PM -----

Re: CWA 404 and RHA 10 status on Big Star operations 

Sharon Parrish to: Stephen Tzhone

07/19/2011
03:17 PM

Cc: Anne Foster, Carlos Sanchez, Garyg Miller, Jessica Hernandez, Robert Werner, Valmichael Leos

From: Sharon Parrish/R6/USEPA/US

To: Stephen Tzhone/R6/USEPA/US@EPA

Cc: Anne Foster/R6/USEPA/US@EPA, Carlos Sanchez/R6/USEPA/US@EPA, Garyg Miller/R6/USEPA/US@EPA, Jessica Hernandez/R6/USEPA/US@EPA, Robert Werner/R6/USEPA/US@EPA, Valmichael Leos/R6/USEPA/US@EPA

I spoke with Casey Cutler at the Galveston Corps just now. There are no current CWA 404 or RHA Section 10 permits. If one or both of these permits is needed, Big Star would be expected to follow the processes established for all entities in the area of concern. I did tell Casey that neither EPA nor TCEQ Superfund staff were aware of the reported activity by Big Star.

▼ Stephen Tzhone---07/18/2011 05:23:52 PM---Hi Sharon: 1) From the USACE information, there are no active CWA 404 or RHA 10 permits for any Big

From: Stephen Tzhone/R6/USEPA/US
To: Sharon Parrish/R6/USEPA/US@EPA
Cc: Carlos Sanchez/R6/USEPA/US@EPA, Garyg Miller/R6/USEPA/US@EPA, Valmichael Leos/R6/USEPA/US@EPA, Jessica Hernandez/R6/USEPA/US@EPA, Anne Foster/R6/USEPA/US@EPA, Robert Werner/R6/USEPA/US@EPA
Date: 07/18/2011 05:23 PM
Subject: CWA 404 and RHA 10 status on Big Star operations

Hi Sharon:

1) From the USACE information, there are no active CWA 404 or RHA 10 permits for any Big Star operations... is that correct?

2) From the USACE information, Big Star has been advised of the requirements from these two letters... is that correct?

[attachment "2009_10_13_EPA to USACE_San Jacinto permits process.pdf" deleted by Robert Werner/R6/USEPA/US] [attachment "2011_01_25_EPA to USACE and TCEQ_San Jacinto permits process update.pdf" deleted by Robert Werner/R6/USEPA/US]

3) The forwarded information/photo is releasable.

Thanks,

Stephen L. Tzhone
Superfund Remedial Project Manager
USEPA Region 6 (6SF-RA)
214.665.8409
tzhone.stephen@epa.gov

▼ Sharon Parrish---07/18/2011 04:25:10 PM---Re: Big Star Steve, I just received this info this morning. I can pass along the last information

From: Sharon Parrish/R6/USEPA/US
To: Stephen Tzhone/R6/USEPA/US@EPA
Cc: Valmichael Leos/R6/USEPA/US@EPA
Date: 07/18/2011 04:25 PM
Subject: Fw: call from community (UNCLASSIFIED)

Re: Big Star

Steve, I just received this info this morning. I can pass along the last information from your e-mail if it is not case sensitive.

----- Forwarded by Sharon Parrish/R6/USEPA/US on 07/18/2011 04:17 PM -----

From: "Jaynes, Kenny SWG" <kenny.jaynes@SWG02.usace.army.mil>
To: Sharon Parrish/R6/USEPA/US@EPA
Cc: "Cutler, Casey K SWG" <casey.k.cutler@usace.army.mil>
Date: 07/18/2011 11:05 AM
Subject: call from community (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Sharon;

We met with the property owners last week regarding this action and they are thinking about a project that would involve our jurisdiction (10 and possible 404). They are reportedly working with EPA CERCLA folks and TCEQ... They were advised prior to us accepting an application that they should clear all of the hurdles with the toxic portions from the appropriate resource agency, first.

Thanks

Kenny Jaynes

Classification: UNCLASSIFIED
Caveats: NONE

▼ Stephen Tzhone---07/18/2011 04:07:29 PM---Hi Sharon, Is there an update on the activities permitted for the Big Star property? The PRPs are

From: Stephen Tzhone/R6/USEPA/US
To: Sharon Parrish/R6/USEPA/US@EPA
Cc: Carlos Sanchez/R6/USEPA/US@EPA, Garyg Miller/R6/USEPA/US@EPA
Date: 07/18/2011 04:07 PM
Subject: Re: Fw: San Jacinto River Big Star Operations

Hi Sharon,

Is there an update on the activities permitted for the Big Star property? The PRPs are raising concerns (see below), in addition to the separate community inquiries from earlier this month.

Thanks,

Stephen L. Tzhone
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214.665.8409
tzhone.stephen@epa.gov

▼ Garyg Miller---07/18/2011 10:41:11 AM---Lets discuss this at todays meeting.
Thanks.

From: Garyg Miller/R6/USEPA/US
To: Anne Foster/R6/USEPA/US@EPA, Barbara Nann/R6/USEPA/US@EPA, Barry Forsythe/R6/USEPA/US@EPA, Donn Walters/R6/USEPA/US@EPA, Jessica Hernandez/R6/USEPA/US, Philip Turner/R6/USEPA/US@EPA, Richard Wooster/R6/USEPA/US@EPA, Robert Werner/R6/USEPA/US@EPA, Stephen Tzhone/R6/USEPA/US@EPA
Cc: Carlos Sanchez/R6/USEPA/US@EPA
Date: 07/18/2011 10:41 AM
Subject: Fw: San Jacinto River Big Star Operations

Lets discuss this at todays meeting.

Thanks,

Gary Miller, P.E.
Remediation Project Manager
EPA Region 6 - Superfund (6SF-RA)
(214) 665-8318
miller.garyg@epa.gov

----- Forwarded by Garyg Miller/R6/USEPA/US on 07/18/2011 10:22 AM -----

From: David Keith <dkeith@anchorqea.com>
To: Garyg Miller/R6/USEPA/US@EPA, Valmichael Leos/R6/USEPA/US@EPA
Cc: Phil Slowiak <philip.slowiak@ipaper.com>, March Smith <msmith4@wm.com>, Andrew Shafer <dshafer@wm.com>, Jennifer Sampson <jsampson@integral-corp.com>
Date: 07/15/2011 04:34 PM
Subject: San Jacinto River Big Star Operations

[attachment "San Jacinto River Barge Fleeting Operations.pdf" deleted by Robert Werner/R6/USEPA/US]

Valmichael and Gary – As we have discussed with Valmichael in particular over the past few weeks,

we are growing more concerned with the operations we are seeing at the Big Star property. Initially, they were moving soil/grading on the property, and although there is a concern that they may have moved some residual contaminated soils from sand separation operations on the land, we did not think that posed a significant risk to the TCRA or RI/FS process. However, this Wednesday we observed tugboats operating over areas with the highest concentrations of dioxin and furans in river sediments outside of the impoundment perimeter, and we have concerns that this tug and barge activity could undermine the integrity of the baseline sediment dataset completed for the RI/FS, and provides a recontamination potential to the TCRA cap. We observed a significant amount of turbidity in the river where the tugs were moving the barges as a result of prop-wash being generated by the tugs.

Of substantial importance is the potential for re-suspension of contaminated sediments to affect the concentrations of dioxins and furans in tissues of fish and crabs in the area. Disturbing contaminated sediment may remobilize contamination, not only changing conditions described by the RI dataset, but possibly worsening the problem of contamination of fish and crab tissues in the area.

The attached picture shows the barge fleeting area currently being utilized at the Big Star property and the approximate locations of the sediment sampling points with the relatively high concentrations of dioxins and furans in that area. We are not sure what our options might be in regards to these operations, but wanted to re-iterate our concern about this ongoing activity. Please let us know if you would like to discuss this issue by phone, or in person while we are in Houston next week.

Thanks,
David

*David Keith, Ph.D., P.G., C.HG.
Anchor QEA, LLC
614 Magnolia Avenue
Ocean Springs, MS 39564*

Phone: 228-818-9626 ext. 221
Fax: 228-818-9631
dkeith@anchorqea.com

▼ Stephen Tzhone---07/07/2011 02:47:23 PM---Hi Donn and 6WQ, Ms. Sherry Smith (mobile 281.615.6120, home 832.838.8180) called again and is reque

From: Stephen Tzhone/R6/USEPA/US
To: Donn Walters/R6/USEPA/US@EPA, Sharon Parrish/R6/USEPA/US@EPA, Karen McCormick/R6/USEPA/US@EPA, Brian Mueller/R6/USEPA/US@EPA, Jessica Franks/R6/USEPA/US@EPA
Cc: Garyg Miller/R6/USEPA/US@EPA, Valmichael Leos/R6/USEPA/US@EPA, Carlos Sanchez/R6/USEPA/US@EPA
Date: 07/07/2011 02:47 PM
Subject: Re: call from community

Hi Donn and 6WQ,

Ms. Sherry Smith (mobile 281.615.6120, home 832.838.8180) called again and is requesting EPA to check operations on the Big Star property. She stated that she observed dredging activities going on there and wants to know who authorized that activity, and if authorized, would like to see the permit.

I informed her that I'll pass her request on the dredging permit to EPA Water and that Donn will call her back to follow up on previous community concerns.

Thanks,

Stephen L. Tzhone
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▼ Stephen Tzhone---07/07/2011 01:11:37 PM---Donn, Please call Ms. Sherry Smith (mobile 281.615.6120, home 832.838.8180). Ms. Smith identified h

From: Stephen Tzhone/R6/USEPA/US
To: Donn Walters/R6/USEPA/US@EPA
Cc: Garyg Miller/R6/USEPA/US@EPA, Valmichael Leos/R6/USEPA/US@EPA
Date: 07/07/2011 01:11 PM
Subject: call from community

Donn,

Please call Ms. Sherry Smith (mobile 281.615.6120, home 832.838.8180). Ms. Smith identified herself as a resident near SJRWP who have attended the past community meetings. She wanted to follow up on several items.

Thanks,

Stephen L. Tzhone
Superfund Remedial Project Manager
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